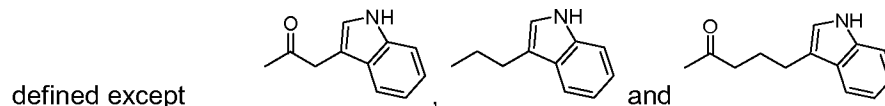


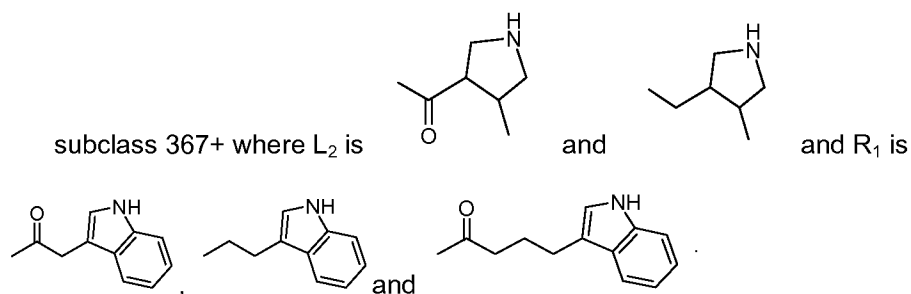
**RESPONSE AND ELECTION**

**Restriction.** The Office Action dated October 2, 2006 asserts the existence of three inventions:

- I. Claims 1-58 are, drawn to compounds and composition, classified in class 544, subclass 367+ where  $L_2$  is as defined except the last two hetero groups and  $R_1$  is as



- II. Claims 1-58 are, drawn to compounds and compositions, classified in class 544,

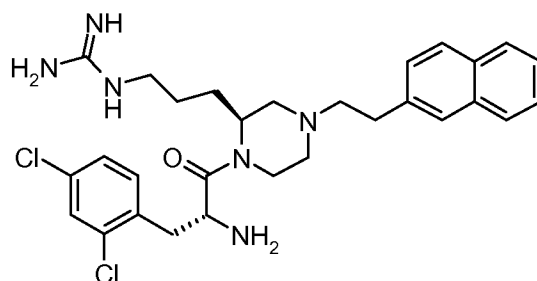


- III. Claims 59-65 are, drawn to several methods employing the compound of formula (I), classified in class 514, in various subclasses.

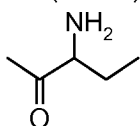
**Election of Invention.** Applicants elect the invention of claims Group I above without traverse. Applicants reserve the right to file divisional or other continuing applications as permitted.

**Election of Species.** Applicants elect species as follows:

*As a single compound:* The compound of Example 47, with the structure (redrawn to show the complete structure rather than the phrase "D-Phe(2,4-diCl)" appearing in Example 47 at page 68 of the specification):

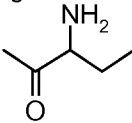


and the chemical name (generated using AutoNom 2000 as incorporated in ISIS Draw) N-{3-[(S)-1-[(R)-2-Amino-3-(2,4-dichloro-phenyl)-propionyl]-4-(2-naphthalen-2-yl-ethyl)-piperazin-2-yl]-propyl}-guanidine. In terms of assignment of groups, using Claim 1 (Formula I) as a referent, X is CH<sub>2</sub>; R<sub>1</sub> is -L<sub>1</sub>-J where L<sub>1</sub> is (CH<sub>2</sub>)<sub>y</sub>, J is the unsubstituted aromatic fused carbobicyclic ring group naphthyl, and y is 2; R<sub>2</sub> is -(CH<sub>2</sub>)<sub>y</sub>-W where W is the heteroatom unit with at least one cationic center, hydrogen bond donor or hydrogen bond acceptor wherein at least one atom is N which is NH(C=NH)NH<sub>2</sub> and y is 3; and R<sub>3</sub> is D-Phe(2,4 diCl) or alternatively put, is -L<sub>2</sub>-Q where L<sub>2</sub> is



and Q is the substituted phenyl 2,4-dichloro-phenyl.

*As a set of compounds.* The set of compounds, using Claim 1 (Formula I) as a referent, where X is CH<sub>2</sub>; R<sub>1</sub> is -L<sub>1</sub>-J where L<sub>1</sub> is (CH<sub>2</sub>)<sub>y</sub>, J is the unsubstituted aromatic fused carbobicyclic ring group naphthyl, and y is 1 to 4; R<sub>2</sub> is -(CH<sub>2</sub>)<sub>y</sub>-W where W is the heteroatom unit with at least one cationic center, hydrogen bond donor or hydrogen bond acceptor wherein at least one atom is N and y is 2 to 4; and R<sub>3</sub> is -L<sub>2</sub>-Q where L<sub>2</sub> is



and Q is phenyl or substituted phenyl.

*Claims encompassing the elected species.* With respect to the elected species which is the compound of Example 47, claims encompassing such species include claims 1, 2, 5, 6, 8, 9, 12, 16, 20, 21, 24, 25, 27, 28, 31, 35, 39, 40, 43, 44, 46, and 58.

**Conclusion.** If any issues remain, or if the Examiner believes that prosecution of this application might be expedited by discussion of the issues, the Examiner is cordially invited to telephone the undersigned attorney for Applicant at the telephone number listed below.

Authorization is given to charge payment of any additional fees required, or credit any overpayment, to Deposit Acct. 50-3582.

Respectfully submitted,

/Stephen A. Slusher/

By: \_\_\_\_\_

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